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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,815	09/18/2003	Yen-Fu Chen	AUS920030587US1	8941

45371 7590 02/28/2007

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EXAMINER

NEWAY, SAMUEL G

ART UNIT

PAPER NUMBER

2626

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/666,815	Applicant(s) CHEN ET AL.	
	Examiner Samuel G. Neway	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>09/18/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is responsive to the Application filed on September 18, 2003.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 23 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 23 is a single means claim where the claim covers every conceivable structure (means) for achieving the stated property (result) while the specification discloses at most only those known to the inventor.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1 – 5, 6 – 13, 14, 16 – 18, 20, 22, 25 – 27, 29, and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 – 5, 6 – 13, 14, 16 – 18, 20, 22, 25 – 27, 29, and 31 recite the limitation “the copied database script”. There is insufficient antecedent basis for this limitation in the claims. The claims will be interpreted as reciting “the database script”.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 23 – 31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 23 – 31 are directed to a graphical user interface (GUI), which could reasonably be interpreted as being software per se, since the GUI is not claimed including the necessary hardware to permit the software's functionality to be realized.

Computer programs (software) claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 – 5, 7 – 12, 14 – 20, 22 – 29, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Heiny (USPN 5,778,356).

Claim 1:

Heiny discloses a method comprising:

acquiring a database script in a source language (“internal representation provided in the object oriented database management system”, col. 9, lines 58-60);

substituting a source language string literal with a label, thereby creating a message file (“The international string list objects 219 contains a pointer 268 to the lists of text string pairs 220”, col. 10, lines 63-65, FIG. 7, FIG. 10, and related text);

using a data file to translate the source language string literal in the message file with a target language string literal, thereby creating a label file (“locate associated storage locations of text describing the class 200 in several different languages ”, col. 10, lines 20-25, FIG. 7, FIG. 10, and related text);

and substituting the label in the database script with the target language string literal in the label file (“select the appropriate text string for display that corresponds to the particular language that is desired ”, col. 10, lines 25-29).

Claim 2:

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Heiny discloses the method of claim 1 further comprising: adjusting the field width in the database script ("parts in the database may be repositioned within the schema hierarchy as well as being modified, added, and deleted", col.6, lines 53-55).

Claim 3:

Heiny discloses the method of claim 2 wherein the adjusting occurs without user intervention ("provide flexibility in allocating storage space for the character strings ... ", col.14, lines 61-65).

Claim 4:

Heiny discloses the method of claim 2 wherein the adjusting the field width step comprises: analyzing a database script to determine the maximum width of each field; displaying a list of fields, field widths, and maximum field widths (Fig. 12 and related text); and allowing a user to modify a field width ("users are able to change the parts schema ... ", col. 6, lines 50-52).

Claim 5:

Heiny discloses the method of claim 1 further comprising: running the database script to create a target language database (Fig. 5, Fig 6, and related text).

Claim 7:

Heiny discloses the method of claim 1 wherein the source language is English (Fig. 5 and related text).

Claims 8 – 12, and 14:

Claims 8 – 12, and 14 are similar in scope and content to claims 1 – 5, and 7 and are rejected with the same rationale.

Claim 15:

Heiny discloses a program product operable on a computer, the program product comprising: a computer-usable medium; wherein the computer usable medium comprises instructions comprising:

a conversion program capable of converting a database script from a source language into a target language ("select the appropriate text string for display that corresponds to the particular language that is desired ", col. 10, lines 25-29);

and a field expansion program capable of expanding the width of a field in the database script ("provide flexibility in allocating storage space for the character strings ", col.14, lines 63-65).

Claims 16 – 20, and 22:

Claims 16 – 20, and 22 are similar in scope and content to claims 1 – 5, and 7 and are rejected with the same rationale.

Claim 23:

Heiny discloses a graphical user interface (GUI) for translating a database script from a source language to a target language (col. 8, lines 47-52, Fig 5, Fig 6, and related text).

Claims 24 – 29, and 31:

Claims 24 – 29, and 31 are similar in scope and content to claims 1 – 5, and 7 and are rejected with the same rationale.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 6, 13, 21, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heiny (USPN 5,778,356) in view of Raz et al. (USPN 5,852,715)

Claims 6:

Heiny discloses the method of claim 1 but he does not explicitly teach copying the database script.

Raz discloses a method of managing databases where "the original database has been copied" (col. 6, lines 51-53).

It would have been obvious to one with ordinary skill in the art to copy the database as claimed in Heiny's method in order to save a "backup recovery copy" (Raz, col. 6, lines 39-41).

Claims 13, 21, and 30:

Claims 13, 21, and 30 are similar in scope and content to claim 6 and are rejected with the same rationale.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Redpath (European Patent Application Publication 0335139) discloses a method for supplying, in a target language, messages used in a program by representing each message with an identifier and an allocated space.

Barker et al. (USPN 7,177,793) discloses a system and method for extracting translatable strings from a program, assigning identifiers to these strings, including the identifiers into the program, and displaying a string in a user selected language.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel G. Neway whose telephone number is 571-270-1058. The examiner can normally be reached on Monday - Friday 8:30AM - 5:30PM EST.

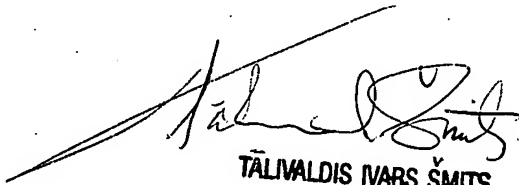
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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TĀLIVALDIS IVARS ŠMITS
PRIMARY EXAMINER